

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In re: : Case No. 23-50619  
: :  
Gobo, Ltd., : Chapter 11  
: :  
Debtor. : Judge Nami Khorrami

**APPLICATION OF DEBTOR**  
**FOR AUTHORITY TO EMPLOY REALTOR**

Now comes Gobo, Ltd., the debtor and debtor in possession (the “Debtor”), and hereby moves this Court for an order authorizing the Debtor to employ a realtor pursuant to 11 U.S.C. §327, Fed. R. Bankr. P. 2014 and L.B.R. 2014-1. In support of his motion, the Debtor represents to the Court as follows:

1. Gobo, Ltd. (the “Debtor”) filed a voluntary petition for relief under Chapter 11 of Title 11, United States Code (the “Bankruptcy Code”) on March 1, 2023 (the “Petition Date”).
2. Among the assets of this bankruptcy estate is an interest in certain real estate located at 4000 Horizons Drive, Columbus, Ohio 43220 and an adjacent lot located at 0 Horizons Drive, Columbus, Ohio 43220 (collectively, the “Real Estate”) which constitutes property of the bankruptcy estate pursuant to 11 U.S.C. 541. It is estimated that the value of the Real Estate is approximately \$2,871,000.00.
4. The Real Estate is subject to first and second mortgage liens, and current real estate taxes.
5. The Debtor seeks to employ Nathaniel Marks of Associates Realty as a realtor (the “Realtor”) to sell the Real Estate.
6. The Debtor believes that it is in the best interest of the bankruptcy estate and is necessary to employ the Realtor to sell the Real Estate in accordance with terms that are used when

the Realtor sells real estate in a private sale. The terms of employment of the Realtor are as follows:

**Realtor:** Nathaniel Marks  
Associates Realty  
615 Copeland Mill Rd., Ste. 1D  
Westerville, OH 43081

**Terms of Sale:** The Real Estate will be offered for sale through a listing agreement for a period of eight months. The Real Estate will be listed online, through social media advertisement and direct marketing to potential purchasers.

**Realtor's Commission:** The estate will pay Realtor a percentage commission of six percent of the gross selling price of the Real Estate.

7. The Debtor believes, and the Realtor represents that this commission is the standard commission charged by the Realtor when he sells real property at a private sale, and that these terms are standard for a realtor selling real estate in the area.

8. The Debtor believes, and the Realtor represents, that the Realtor does not hold or represent an interest adverse to the estate and is a disinterested person, as required by 11 U.S.C. §327(a), and is neither related to nor connected with a Judge of the Bankruptcy Court or the District Court for the Southern District of Ohio. An Affidavit of the Realtor is attached as Exhibit A. The Debtor believes that the Realtor is a “disinterested person” as required by 11 U.S.C. §327 and 101(14).

9. The Debtor believes that the Realtor has not received any fees for a period of one year prior to the filing of the petition in this case through the time of the filing of this Application. The Realtor has received no retainer. Such disclosures are made pursuant to LBR 2014-1(b).

10. The Debtor proposes to employ the Realtor named above because of his experience in conducting private real estate sales.

Based upon the foregoing, it is respectfully requested that the Court issue an Order authorizing the Debtor to employ Nathaniel Marks of Associates Realty as a realtor, on the terms and conditions set forth in this Application, and that the Court grant such other and further relief as is appropriate.

Respectfully submitted,

/s/ John W. Kennedy  
Myron N. Terlecky (0018628)  
John W. Kennedy (0042672)  
Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA  
575 South Third Street  
Columbus, OH 43215  
T: (614) 228-6345 F: (614) 228-6369  
Email: mnt@columbuslawyer.net  
jwk@columbuslawyer.net  
Attorneys for Debtor

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**AFFIDAVIT OF NATHANIEL MARKS IN SUPPORT OF APPLICATION OF  
DEBTOR FOR AUTHORITY TO EMPLOY REALTOR**

STATE OF OHIO )  
COUNTY OF FRANKLIN ) SS:

I, Nathaniel Marks, being first duly cautioned and sworn, state as follows:

1. I am a duly authorized and licensed realtor with Associates Realty as named in the Application of Debtor for Authority to Employ Realtor (the "Application").
2. I have read the Application and I approve the terms and conditions therein.
3. Neither I nor any entity with which I am connected (a) are employed by or connected with the Debtor, or with any person having any interest adverse to the Debtor, or to the bankruptcy estate; (b) have any past or present relationship with Debtor, any insiders or affiliates of the Debtor, or any creditor or equity security holder of the Debtor, or the attorney or accountant for any of them, the United States Trustee, or any person employed in the Office of the United States Trustee, except None. I do not hold or represent an interest adverse to the estate.
4. I am a disinterested person within the meaning of 11 U.S.C. §327 and 101(14).
5. I have access to and advertising for the purpose of selling the Real Estate identified in the Application.

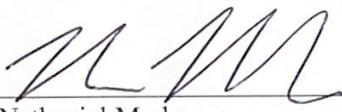
6. The terms of sale of the Real Estate are as follows: The Debtor will pay a percentage commission of six percent of the gross selling price of the Real Estate.

7. My proposed employment is not prohibited by, or improper under, Bankruptcy Rule 5002, and no understanding or agreement exists for a division of fees or compensation between myself or any entity with which I am connected.

8. Neither I nor any entity with which I am affiliated, is an officer or employee of the Judicial Branch of the United States or the United States Department of Justice.

9. Neither I nor any entity with which I am affiliated, will, under any circumstances, purchase or acquire any interest in any of the property with which I am dealing.

I declare under penalty of perjury that the foregoing is true and correct.



Nathaniel Marks

Sworn to before me and subscribed in my presence this 27 day of May 2023. *This is a jurat certificate; an oath or affirmation was administered to the signer with regard to this notarial act.*

Jacob James Pfeiffer  
Notary Public



**NOTICE OF APPLICATION OF DEBTOR FOR AUTHORITY**  
**TO EMPLOY REALTOR**  
**AND CERTIFICATE OF SERVICE**

Gobo, Ltd. has filed papers with the court seeking the authority to employ a realtor to sell real estate that is property of the bankruptcy estate.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the Application, **then on or before twenty-one (21) days from the date set forth in the certificate of service for the Application**, you or your attorney must file with the court a response explaining your position by mailing your response by first class U.S. Mail to Clerk, United States Bankruptcy Court, 170 North High Street, Columbus, Ohio 43215, OR your attorney must file a response using the court's ECF system.

The court must **receive** your response on or before the date set forth above.

You must also send a copy of your response either by 1) the court's ECF System, or by 2) first class U.S. Mail to:

United States Trustee 170 North High Street, Suite 200 Columbus, Ohio 43215	Myron N. Terlecky, Esq. Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA 575 South Third Street Columbus, Ohio 43215
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If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the Application and may enter an order granting that relief.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing APPLICATION OF DEBTOR FOR AUTHORITY TO EMPLOY REALTOR was served (i) electronically on the date of filing through the Court's ECF System on all ECF participants registered in the case at the email addresses registered with the Court and (ii) by first class U.S. mail on May 3, 2023, addressed to all creditors and parties in interest on the attached matrix and the following parties:

Nathaniel Marks  
Associates Realty  
615 Copeland Mill Rd., Ste. 1D  
Westerville, OH 43081

/s/ John W. Kennedy  
John W. Kennedy (0042672)

Case 2:23-bk-50619

170 North High Street

Southern District of Ohio

Suite 200

Columbus

Columbus, OH 43215-2417

Tue May 2 15:44:46 EDT 2023

Cheryl B. Lee  
2702 Henthorn Road  
Columbus, OH 43221-3214

Donald A. Lee  
2702 Henthorn Road  
Columbus, OH 43221-3214

Franklin County Treasurer  
373 South High St., 17th Floor  
Columbus, OH 43215-4591

Gobo, Ltd.  
4000 Horizons Dr.  
Columbus, OH 43220-5217

Horizon Film and Video, Inc.  
c/o Richard K. Stovall  
Allen Stovall Neuman & Ashton LLP  
10 West Broad Street, Suite 2400  
Columbus, OH 43215-3469

Horizons Video & Film Incorporated  
4000 Horizons Dr  
Columbus, OH 43220-5217

Huntington Bank  
41 S. High Street  
Columbus, OH 43215-3406

Jeffrey Madison  
612 Park St., Ste. 300  
Columbus, OH 43215-1681

John W Kennedy  
Strip Hoppers Leithart McGrath & Terleck  
575 S. Third St.  
Columbus, OH 43215-5755

Cheryl B Lee  
c/o Richard Stovall  
Allen Stovall Neuman & Ashton LLP  
10 West Broad Street, Suite 2400  
Columbus, OH 43215-3469

Donald A. Lee  
c/o Richard K. Stovall  
Allen Stovall Neuman & Ashton LLP  
10 West Broad Street, Suite 2400  
Columbus, OH 43215-3469

Jeffrey J Madison  
Park Street Law Group, LLC  
612 Park Street  
Suite 300  
Columbus, OH 43215-1681

Dennis J Morrison  
Park Street Law Group, LLC  
612 Park Street, Ste. 300  
Columbus, OH 43215-1681

Richard K Stovall  
Allen Stovall Neuman & Ashton LLP  
10 West Broad Street  
Suite 2400  
Columbus, OH 43215-3469

Myron N Terlecky  
575 S Third St  
Columbus, OH 43215-5755

The Huntington National Bank  
Jeffrey J. Madison, Esq.  
612 Park Street, Suite 300  
Columbus, OH 43215-1681

End of Label Matrix  
Mailable recipients 18  
Bypassed recipients 0  
Total 18